

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

ROBERT P TAYLOR,

Plaintiff,

v.

J WILSON, ET AL.,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

Civil Action No. 5:21-CV-121-RWS-JBB

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE**

Plaintiff Robert Taylor, proceeding *pro se*, filed the above-captioned action alleging that his constitutional rights were violated during the pandemic. Docket No. 1. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

Taylor was ordered to pay the filing fee of \$402.00 or to seek leave to proceed *in forma pauperis* under 28 U.S.C. § 1915(b) (Docket No. 2) and, by separate order, Taylor was directed to file an amended complaint setting out a short and plain statement of his claims (Docket No. 3)—he failed to comply with either order. In December 2021, the magistrate judge issued a report recommending that the lawsuit be dismissed without prejudice for failure to prosecute or obey an order of the Court. Docket No. 7. Taylor received a copy of the magistrate judge's report on January 3, 2022 (Docket No. 8) and has filed no objections. Accordingly, the Court reviews the magistrate judge's findings of fact and legal conclusions for plain error. *Duarte v. City of Lewisville, Tex.*, 858 F.3d 348, 352 (5th Cir. 2017). Having reviewed the record, the Court finds that the magistrate judge's report and recommendation is correct. Accordingly, it is

ORDERED that the magistrate judge's report (Docket No. 7) is **ADOPTED** as the opinion

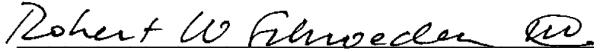
of the Court. It is

ORDERED that the above-captioned action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or obey an order of the Court. It is further

ORDERED that the statute of limitations on the claims in this lawsuit is **SUSPENDED** for a period of 60 days following entry of final judgment. This suspension shall have no effect upon claims already barred by limitations at the time this lawsuit was originally filed; such claims shall remain barred regardless of any suspension of the limitations period. It is finally

ORDERED that any and all motions which may be pending in this civil action are **DENIED-AS-MOOT**.

So ORDERED and SIGNED this 20th day of July, 2023.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE